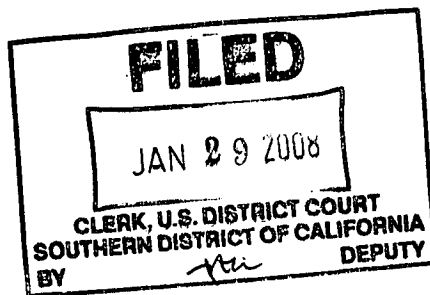


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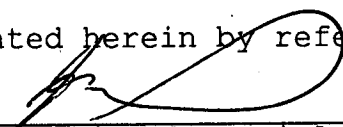
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA '08 MJ 8083

UNITED STATES OF AMERICA)	Magistrate Case No.:
)	
Plaintiff,)	COMPLAINT FOR VIOLATION OF
)	
v.)	21 U.S.C. § 952 and 960
)	Importation of a Controlled
Rosa Maria DESILAGUA,)	Substance (Felony)
)	
Defendant.)	

The undersigned complainant being duly sworn states:

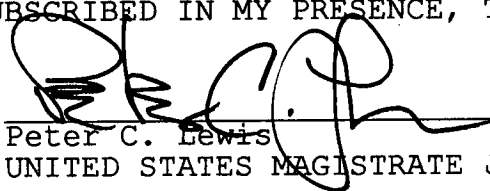
That on or about January 28, 2008, within the Southern District of California, defendant Rosa Maria DESILAGUA, did knowingly and intentionally import approximately 54.18 kilograms (119.20 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Section 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.



Vincent McDonald Special Agent
U.S. Immigration & Customs
Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 29th
DAY OF JANUARY 2008.



Peter C. Lewis
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.
Rosa Maria DESILAGUA

3 STATEMENT OF FACTS

4 This complaint is based on the reports, documents, and notes furnished to U. S. Immigration
5 and Customs Enforcement Special Agent Vincent McDonald.

6 On January 28, 2008, at approximately 1214 hours, Rosa Maria DESILAGUA entered the
7 United States from the Republic of Mexico via the Calexico, CA West Port of Entry. DESILAGUA
8 was the driver of a 2000 GMC Savana van traveling with her three children.

9 Customs & Border Protection Officer (CBPO) I. Mercado obtained a negative Customs
10 declaration from DESILAGUA. DESILAGUA stated she and her children were United States
11 citizens traveling home after visiting her mother and father in Mexicali. CBPO I. Mercado observed
12 DESILAGUA began to fidget in her seat. CBPO I. Mercado asked DESILAGUA if she owned the
13 vehicle. DESILAGUA stated she owned the vehicle but it was not registered in her name. CBPO I.
14 Mercado examined the roof of the vehicle and it appeared to be low. CBPO I. Mercado referred
15 DESILAGUA and the vehicle to the secondary inspection area for further examination.
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17

18 In the vehicle inspection (VS) area, CBPO I. Mercado asked CBPO C. Anzaldo to utilize his
19 canine inspecting the vehicle. CBPO C. Anzaldo inspected the vehicle and advised CBPO I. Mercado
20 that his canine had alerted to the rear of the van. CBPO I. Mercado continued to inspect the vehicle
21 and uncovered a specially built compartment in the roof. CBPO I. Mercado opened the compartment
22 and extracted 60 packages with a combined weight of 54.18 kilograms (119.20 pounds) concealed
23 within the roof of the vehicle. A package was probed and produced a green, leafy substance that
24 field-tested positive for marijuana, a Schedule I Controlled Substance.
25

26 DESILAGUA was placed under arrest and advised of her rights per Miranda, which she
27 acknowledged and waived, agreeing to answer questions without the presence of an attorney.
28

1 DESILAGUA stated she thought marijuana was in the vehicle. DESILAGUA confessed that
2 she did not own the vehicle and it was provided to her by "Alfredo" to transport the marijuana.
3 DESILAGUA claimed she was traveling to the "Red Earth Casino" and "Alfredo" would contact her
4 on her cellular telephone. DESILAGUA stated upon arrival at the destination she would be paid
5 \$500 for transporting the drugs. DESILAGUA claimed she and her children would then take a taxi
6 home.
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